

## BOARD OF VETERANS' APPEALS NOTICE

Enclosed is a copy of the decision reached by the Board of Veterans' Appeals (BVA) in your appeal. This is a final decision by the BVA. It is based upon all the evidence of record and the applicable laws and regulations.

If the decision is not favorable to you:

- (1) You may file a motion for reconsideration of this BVA decision at the following address: Board of Veterans' Appeals, 810 Vermont Avenue, NW., Washington, DC 20420. Your motion may be in the form of a letter. It should state clearly and specifically which issue or issues you want the BVA to reconsider and the specific reasons why the BVA should reconsider the issue or issues.
- (2) You may have the right to appeal this decision to the United States Court of Veterans Appeals (the Court). You may appeal to the Court a final decision of the BVA that follows a notice of disagreement filed on or after November 18, 1988. A notice of appeal must be filed with the Court within 120 days from the date of mailing of the notice of the BVA decision. The date of mailing is the date that appears on the face of the BVA decision. The Court's address is: The United States Court of Veterans Appeals, 625 Indiana Avenue, NW., Suite 900, Washington, DC 20004. You may obtain information about the form of the notice of appeal and the amount of any filing fee from the Court. You should also mail a copy of the notice of appeal to the VA General Counsel (027), 810 Vermont Avenue, NW., Washington, DC 20420. However, the VA General Counsel is not a part of the Court and filing a copy of your notice of appeal with the VA General Counsel or any other VA office WILL NOT protect your right of appeal.

In addition to these rights, you may also reopen your claim by submitting new and material evidence to the Department of Veterans Affairs (VA) office where your claim originated. VA may not consider another claim on the same factual basis. Reopening your claim will not affect this BVA decision, but your reopened claim may be granted on the basis of new and material evidence which supports your claim.

An accredited agent of a recognized service organization, or an individual whom you choose to represent you in your claim before VA and on appeal to the BVA, may represent you without charge. An attorney-at-law or an accredited agent may also represent you. An attorney or accredited agent may charge you a fee to represent you before VA, including the BVA, with respect to a claim under the following circumstances: (1) you filed a notice of disagreement with respect to the claim on or after November 18, 1988; (2) a final BVA decision has been issued with respect to that claim; and (3) you retained the attorney or accredited agent to represent you within one year from the date of the final BVA decision on that claim. A copy of any fee agreement between you and the attorney or accredited agent must be filed at this address: Office of Counsel to the Chairman (01C), Board of Veterans' Appeals, 810 Vermont Avenue, NW., Washington DC 20420. The BVA may review the fee agreement for reasonableness on its own motion, or you or your attorney or accredited agent may file a motion for the BVA to review the fee agreement for reasonableness at the same address at which the agreement was filed.